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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

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15 JOHNATHON ROBERTS,) 3:05-cr-00098-HDM-RAM
16 Defendant-Petitioner,) 3:10-cv-00531-HDM
17 vs.) ORDER
18 UNITED STATES OF AMERICA,)
19 Plaintiff-Respondent.)
20 _____)

21 On December 10, 2010, this court granted the government a
22 sixty (60) day extension in which to file a response to the
23 defendant's 2255 motion. [Docket #391] Subsequently, on January
24 4, 2011, the court granted the government's motion deeming the
25 attorney-client privilege waived [Docket #389], but did not extend
26 the government's time in which to respond to the defendant's 2255
27 motion. [Docket #394] The court has not been advised whether the
28 government received the documents requested in its motion deeming

1 the attorney-client privilege waived, nor has the government sought
2 another extension of time to respond to the defendant's 2255
3 motion. Accordingly, the government shall have thirty (30) days
4 from the date of this order in which to notify the court whether it
5 received the documents requested in its motion deeming the
6 attorney-client privilege waived and whether it requires additional
7 time to respond to the defendant's 2255 motion.

8 **IT IS SO ORDERED.**

9 DATED: This 22nd day of February, 2011.

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12 UNITED STATES DISTRICT JUDGE
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